THE EZHAVA BILL.

Mr. Subba Aiyar:—

"Sir,

In presenting the report of the Select Committee on the Ezhava Bill and moving that the Bill be taken up for consideration at once, I may say that the Committee have made very important modifications in the Bill. I may also bring to the notice of the Council one more fact, and that is, a number of petitions have been received even after the consideration of the Bill by the Select Committee as will be evident from the list read by the Secretary, requesting that the consideration of the Bill be put off. This is a matter in which the Government are perfectly indifferent and they are not particular whether the Bill is passed now or is put off to the new Council. It is a matter entirely left to the discretion of the Council and the Council has to decide which course to adopt. I may however point out one circumstance. It is not possible to pass the Bill finally at this meeting. If we get through the consideration of the Bill, the final reading of the Bill will have to be put off and in consequence the Bill has to come before the new Council. We do not know whether the new Council will be satisfied with the provisions contained in this Bill, and it would be open to them to say that they would not pass it. There is this danger, unless Government resort to the exercise of the exceptional method of certification of the Bill. I do not think this is a matter for the exercise of the exceptional power. I leave the matter entirely to the general sense of the Council."

Mr. Kumaran Asan:—

"In seconding the motion, I beg to submit that it has been said that several petitions have been received suggesting further improvements and requesting the postponement of the consideration of the Bill. In these circumstances, I think that it may be advantageous to postpone the consideration of the Bill."

Mr. G. Parameswaran Pillai:—

" In the circumstances pointed out by Mr. Subba Aiyar, I also think that it is desirable to have the consideration of the Bill postponed."

President: —

"I see that the general sense on the non-official side of the Council is that the consideration of the Bill should be postponed. The Government have no objection to such a course being followed. I think that it would be a distinct advantage to do so."

The Council resolved to postpone the consideration of the Bill.

THE FISHERIES BILL.

Mr. Subba Aiyar in presenting the report of the Select Committee on the Fisheries Bill, moved that the report and the Bill be taken up for consideration at once.

Seconded by Dr. Kunjan Pillai.

Carried.

The consideration of the Bill was then proceeded with and the Council discussed some of the provisions of the Bill, regarding which two objection petitions had been received. One of the objections related to the provisions in Section 8 according to which destruction of fish in the sea by explosives is prohibited. Mr. Subba Aiyar pointed out that the objection was based on a misapprehension that fishing in the sea was prohibited. He said that the Bill did not contemplate the prohibition of fishing in the sea and that it was only the use of dynamite or other explosives that made it an offence. He also said that except in Section 8 it was not stated anywhere in the Bill that water included sea water. He added that the other provisions of the Bill did not apply to the sea and that the explanation to Section 8 was an important one because it made it clear that it was only for the purpose of that Section that water included sea water. If Clause (2) in the Section was omitted there was nothing in the Bill to restrict the application of the Bill to inland water.

Dr. Kunjan Pillai maintained the necessity of retaining the provisions of Section 8. With regard to the argument that the sea is so vast and wide, that it contains an inexhaustible supply, and that if even some people destroyed the fish, there would be plenty still, he said that, with regard to certain species of fish, they migrated towards the shore, some into the backwaters and some up the rivers at particular seasons, for breeding purposes, and that if they were destroyed, even the inexhaustible supply would come to an end in course of time.

The Council resolved that no importance need be attached to the objection raised in regard to the Section.

Another objection against the Bill, mentioned in the petition, was with reference to the confiscation of the fish and the fishing tackle provided for in Section 15. Mr. Subba Aiyar pointed out that the word used in the Section was '*may*' and that it did not necessarily mean that confiscation should be ordered in every case.

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